

REMARKS

Claims 1-17 remain in the present application. By this Amendment, claims 1-16 are amended; and claim 17 is added. No new matter is added. Claim 1 is the sole independent claim.

Applicants note that amended claim 1 corresponds to corresponding European Patent application no. **03745486.5**, in which claim 1 has been allowed and issued as a patent by the European Patent Office.

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

The Examiner has imposed an Election of Species, and requested that Applicants elect one of three identified species of claims for prosecution in connection with the present application. The species of claims are as follows:

Species I: Figs. 1 and 2 (i.e., **claims 1, 5, 13, and 16**);

Species II: Figs. 4 and 5 (i.e., **claims 1, 5, 7, 13, and 16**); or

Species III: Fig. 11 (i.e., **claims 1-6 and 8-16**).

Applicants provisionally elect **Species III**, including at least claims **1-6 and 8-16**, with **traverse**. Further, *at least* claim 1 is generic, as also asserted by the Examiner in the Office Action. Applicants specifically reserve the right to file divisional application(s) directed to non-elected invention(s).

With regard to Applicants' traversal, it is respectfully submitted that this application is a National Stage of PCT International Application PCT/NL03/00252, filed April 3, 2003, which is governed under the PCT lack of unity invention rules. Accordingly, the Election of Species requirement asserts that Species I – III do not relate to a *single general inventive* concept under PCT Rule 13.1 because the species lack the same or corresponding special technical features. Applicants respectfully request reconsideration and withdraw of the Election of Species requirement.

In the Election of Species requirement, on page 3 of the Office Action mailed April 22, 2009, the Examiner states that the species do not correspond to the same special technical feature because “[s]pecies of Fig. 1/2 has special technical feature of sidewalls having tubular elements with brackets having stepped form while Species of Fig. 4/5 has special technical feature of supports on either side of carrier having a different shape and Species of Fig. 11 has special technical feature of frame with plate placed separately therein.” However, it is respectfully submitted that all of the claims are directed to a single general inventive concept because the special technical features are found in all species, common to at least FIGS. 4-11. In particular, it is submitted that the special technical features are the particulars of the “flat plate” and the “supports,” and all of the claims are directed to the above-mentioned features. Therefore, the subject matter of all claims does form a **single general inventive concept**.

In addition, it is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one group

would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and examination of the entire application could be performed without serious burden. M.P.E.P. § 803 states:

[i]f the search and examination of an entire application can be made without serious burden, the Examiner **must** examine on the merits, even though it includes claims to distinct or independent invention. (*emphasis added*)

Thus, it is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants' and duplicated examination by the Patent Office.

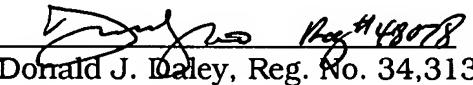
Accordingly, Applicants respectfully submit that the Examiner would not be unduly burdened if forced to examine Species I - III together.

For all of the above stated reasons, reconsideration and withdrawal of the outstanding Restriction Requirement and favorable allowance of all claims in the instant application are earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By 
for Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

DJD/DJC:clc